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DEPARTMENT OF SOCIAL SERVICES  
CENTRAL ADMINISTRATION

D512

PART No. ONE

REFERENCE TO OTHER FILES

SUBJECT

A55 ABORIGINES--ELIGIBILITY  
FOR S. S. BENEFITS

ABORIGINES--ELIGIBILITY FOR U. S. B

FILE CLOSED

LATER PAPERS ON

EACH OFFICER TO ENTER INITIALS WHEN CLEARING FOLIO.  
SENDING OFFICER MUST NOT INITIAL HIS OUTWARD ENTRY.

Folio/s for Attention (1)	Officer to Whom Referred (2)	Date File Passed (3)	Initials of Officer Completing Action (4)	Folio/s for Attention (1)	Officer to Whom Referred (2)	Date File Passed (3)	Initials of Officer Completing Action (4)
139	Mr. Prowse	7/10/65	P/10/10	200/1	Mr. Gritton	20/10	P/20/10
139	Director General	13/10/65	P/13/10	201	Mr. Prowse	20/14	P/20/14
139	Mrs. M. Gelder	20/10/65	P/20/10	204/5	Mr. Gritton	21/14	P/21/14
144	Mr. Gritton	20/10	P/20/10	204/5	Director General	21/14	P/21/14
144	Mr. Prowse	21/10	P/21/10	204/5	Mr. Gritton	26/4/66	P/26/4/66
144	Mr. Mahoney	21/10	P/21/10	204/5	Director General	26/4	P/26/4
147-5	Mr. Prowse	25/11/65	P/25/11	204	Mrs. Gelder	6-5-66	P/6-5-66
157	Mr. Gritton	16/11	P/16/11	205	Mrs. Gelder	6-5-66	P/6-5-66
151	Director General	17/11	P/17/11	208-134	Mr. Prowse	28/4/66	P/28/4/66
149	Mrs. M. Gelder	25/11/65	P/25/11	205	Mr. Prowse	29/14	P/29/14
154	Prowse	22/11	P/22/11		Mr. JENNINGS	17/7/74	P/17/7/74
149	Mr. Prowse	3/12/65	P/3/12		Mr. Prowse	19/5/76	P/19/5/76
150/161	Mr. Prowse	20/12/65	P/20/12			21/4	P/21/4
162	Mr. Prowse	11/1/66	P/11/1				
165	Director General	14/3	P/14/3				
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174-5	Mr. Prowse	22/3/66	P/22/3				
176/7	Mr. Gritton	25/3	P/25/3				
176/7	Director General	25/3	P/25/3				
176/7	Mr. Gritton	29/3	P/29/3				
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776-7	Mrs. Gelder	4/4/66	P/4/4				
189-192	Mr. Prowse	1/4/66	P/1/4				
144-147	Mr. Prowse	12/4/66	P/12/4				
198-9	Mr. Prowse	19/4/66	P/19/4				
198-9	Mr. Kelly	19/4/66	P/19/4				

POST EXAMINED

FILE CLOSED

LATER PAPERS ON

INSTRUCTIONS

- (1) Insert in column (1) number of the Folio on which action is to be taken; in column (2) the name of the officer required to take the action; and in column (3) the date the file is forwarded to him.
- (2) When a folio is cleared, the officer dealing with the file shall insert his initials and date in column (4) and indicate on next vacant line to whom the file is to be referred and the date.
- (3) All entries to be in ink.

18 [11]



# AUSTRALIAN RAILWAYS UNION

IN YOUR REPLY PLEASE  
QUOTE REFERENCE NO

JAF/MG.

Transport House  
313 Cleveland Street

Redfern, 21st November 1949.

Senator The Hon. N.E. McKenna, M.H.R.,  
Minister for Health and Minister for  
Social Services,  
Parliament House,  
CANBERRA.....A.C.T.

Dear Senator McKenna,

I am attaching hereto a copy of correspondence received from Mr. A. Ridgeway, Railway employee of aboriginal extraction employed with Luckey's Extra Gang, Programme Works, New South Wales Government Railways and residing at Purfleet Mission Station, near Taree.

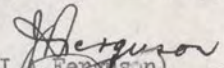
The correspondence is self explanatory and you will readily agree evidence of a very grave anomaly exists.

An employee of aboriginal extraction, even though paying social service tax, is denied the consequential benefits, on the grounds that he resides at an aboriginal Mission, and from which he receives no benefit.

We believe the facts as stated are true and if established as such, I feel sure you will agree to an immediate remedying of such an obvious injustice.

Thanking you.

Yours faithfully,

  
(J. A. Ferguson)  
STATE SECRETARY.

COPY

AUSTRALIAN RAILWAYS UNION (NEW SOUTH WALES BRANCH)

(12) 11  
A. Ridgeway,  
Labourer,  
Luckey's Extra Gang,  
MT. GEORGE.

11th November, 1949.

Mr. J.A.Ferguson,  
State Secretary, A.R.U.,  
SYDNEY.

Dear Comrade,

In reply to yours of the 7th November, 1949, re time lost during the recent coal strike, myself and Labourer [redacted] both of Purfleet Mission, were stood down from Luckey's Gang from 3.15 p.m. on 5.8.49 and were not re-started until 7.30 a.m. on 22.8.49: time lost being two weeks. Also stood down and now with this Gang were Labourers [redacted], [redacted], [redacted], [redacted], all residents of Purfleet Mission.

No assistance of any kind was received from the Mission or elsewhere for the fortnight in question and we had no income for that period. We were refused Social Service Benefits because we were from the Mission.

As a recurrence of this kind is likely at any time, we request that you take this matter up with the proper authorities, with a view to our receiving Social Services on future occasions, where we are stood down through no fault of our own, as we are subscribing to the Social Service Fund through our pay dockets.

Yours fraternally,

A. Ridgeway.

G. 3951 (B) 13

DIRECTOR-GENERAL  
29 NOV 1949  
OF SOCIAL SERVICES

27 NOV 1949

APP. 29/11/49

J.A. Ferguson, Esq.,  
State Secretary,  
Australian Railways Union,  
Transport House,  
313 Cleveland Street,  
REDFERN. N.S.W.

Dear Mr. Ferguson,

I acknowledge receipt of your letter of the 21st November concerning the payment of social service benefits to Mr. A. Ridgeway and other employees of the N.S.W. Railways who reside at the Purfleet Mission Station near Taree.

I shall have enquiries made into this matter and will communicate with you again as soon as practicable.

Yours faithfully,

(SGD.) N. E. MCKENNA

(N. E. MCKENNA)

THE DIRECTOR-GENERAL OF SOCIAL SERVICES.  
-----

Forwarded for preparation of reply please.

*Mill*  
Private Secretary,  
/11/1949.

*Mr. Walker*

A Ridgeway 16 (12)  
G. H. Key, G. L. G. G.  
Mr George  
10-1-50

RECEIVED  
12 1 1950  
DEPARTMENT OF SOCIAL SERVICES  
SYDNEY

The Acting Director of Social Services  
Department of Social Services  
Sydney.

Reply to USB/19054/215/MB

Dear Sir,

In reply to your communication of the 3-1-50, in reply to a letter from the State Secretary of Australian Railways Union in reference to non-payment of social services during the recent coal strike, when stood down from work by the Department of Railways, an application for social services was made at the Social Services office at Taree, and we were informed by that officer that as we were living on an aboriginal reserve at Turlock, that we were not eligible for such and any claims must be made through the manager of that reserve. We saw the manager that morning and he said we were not eligible for social services, but he might give us a ration, but as nothing further was done in the matter, we decided to place our case before the ARU, of which we are members.

We pay wages & social service tax from our pay envelopes the same as any other worker, and so contend we should be eligible to participate from this fund when thrown out of employment through no fault of our own.

Trusting you will take this matter further with the officers responsible. We are,

Yours Respectfully,  
A. Ridgeway

Other members not at present available for signing his statement

TEL. BX 1861

COMMONWEALTH OF AUSTRALIA

COMMUNICATIONS SHOULD BE  
ADDRESSED TO  
THE DIRECTOR OF SOCIAL SERVICES

IN YOUR REPLY PLEASE QUOTE

USB/19054/215/MB. (6)

IT WILL ASSIST THE DEPARTMENT  
AND AVOID DELAY.

DEPARTMENT OF SOCIAL SERVICES

(UNEMPLOYMENT & SICKNESS BENEFITS)

AUSTRALIA HOUSE

52 CARRINGTON STREET, SYDNEY

17th January, 1950.



Sc 4102  
G3951

The Director-General of Social Services,  
Box 4344 G.P.O.,  
MELBOURNE. VIC.

re A. RIDGEWAY (and others), Purfleet Mission Station,  
via Taree. N.S.W. Your ref: CS.46/G.3951.

I refer to your memorandum of 1st December, 1949,  
concerning representations made on behalf of the abovenamed by  
the State Secretary of the Australian Railways Union, regarding  
the non payment of unemployment benefit during the recent power  
restrictions.

On receipt of your communication, the facts were made  
known to the Registrar at Newcastle who had no knowledge of the  
cases in question. A letter was then written to Mr. Ridgeway  
concerning the matter and his reply, together with a letter from  
the District Employment Officer and the letter from the State  
Secretary of the Australian Railways Union, is enclosed herewith.  
There is little doubt that, in view of the fact that the men were  
residing on a reserve ~~and did not hold an exemption certificate,~~  
unemployment benefit was not payable in the cases in question.

*A. V. Afflick*  
(A. V. AFFLICK)

Actg. Director of Social Services.

Encl.

The Director-General:

Eligibility of Aborigines for Unemployment and  
Sickness Benefits - A. Ridgeway (& others),  
Purfleet Mission Station, via Taree, N.S.W.

Representations were made to the then Minister (Senator Mc.Kenna) on 21.11.49 by the State Secretary, A.R.U., Redfern, New South Wales, on behalf of a number of aborigines (or men of aboriginal extraction) who were employed as railway gangers at Mt. George. It appears that the persons concerned were stood down, owing to the coal strike, from 5.8.49 to 22.8.49, and that when they inquired at the Registrar's Office, Taree, as to their position in relation to unemployment benefit, they were informed that, as they were residing on an aboriginal reserve (Purfleet Mission), they were not eligible for benefit.

2. The aborigines concerned have since written to the Director, Sydney, reiterating that they were advised of their ineligibility for unemployment benefit and further that, although residing on the Reserve, they were not issued with rations by the Mission during the period of their unemployment. In this connection, Mr. Briggs, Manager of the Mission Station, advised the District Employment Officer, Taree, that rations were issued only in extreme circumstances, and he confirmed the statement that no rations were issued to these men. He also advised that it was not possible for the men to hold an exemption whilst residing on an aboriginal reserve.

3. The position appears to be, therefore, that, notwithstanding the fact that the men are normally in employment and pay social services tax, and are presumably considered to comply with the standards of intelligence and social development referred to in the Rules (vide Nos. 259-266), they still cannot be granted unemployment benefit, apparently because they are residing on the Reserve.

4. The reason for their residing on the Reserve is not stated, but it may be simply that the men have the use of a hut and other facilities there which would not be available if they were camping out. The value of such accommodation, and whether they are charged anything therefor, are points which have not been clarified.

5. Rule 265 definitely provides that "an aboriginal who resides on a reserve, station, or settlement, will not be regarded as qualified to receive a benefit even if other necessary qualifications can be fulfilled." In a letter to a State M.L.A. early in 1948, however, (copy attached to file), the then Minister stated:-

"In general, it is the intention of the Government that an aboriginal native, who is ordinarily engaged in earning his livelihood and is endeavouring to maintain normal standards of living and behaviour applicable to white persons, should be paid benefit if he becomes sick or unemployed".

6. In view of the foregoing, it is considered that, unless there are some particular circumstances which have not been made apparent in connection with the matter of the aborigines under notice residing on the Reserve, and which would be regarded as reasonable grounds for disqualifying them from benefit, it would hardly be equitable for benefit to be denied them, as they are ordinarily engaged in earning a livelihood and there is no indication that they are not endeavouring to maintain normal standards of living and behaviour. The letters of A. Ridgeway (one of the men concerned) on the attached file are, it is thought, evidence that he (at least)

/possesses a .....



2.

Possesses a reasonable standard of intelligence and social development.

7. Although in the present case only one week's payment of benefit would be involved, <sup>consideration</sup> and as a question of principle may be confirmed, it is thought that before a decision is reached in the matter, the Director might be requested to have inquiry made as to the reason that the men were residing on the Reserve, whether they were provided with free accommodation, and the nature of the accommodation provided (if any).

8. It is recommended accordingly.

*[Signature]*  
21/1/1950.

Director,  
Sydney.

Would you please obtain the information referred to in Para 7.

G. C. Trilton  
25/1/50

Referred to the Director at Sydney (Ref. VSB/19054/215/MB)

~~Papers to be sent~~  
26 JAN 1950  
E. H. ROWE  
Director-General  
25 JAN 1950

B/mup 25/2

TEL. BX 1861

COMMONWEALTH OF AUSTRALIA

COMMUNICATIONS SHOULD BE  
ADDRESSED TO  
THE DIRECTOR OF SOCIAL SERVICES

DIRECTOR-GENERAL  
17 FEB 1950  
OF SOCIAL SERVICES

IN YOUR REPLY PLEASE QUOTE  
USB/ 49054/215/MB  
IT WILL ASSIST THE DEPARTMENT  
AND AVOID DELAY.  
20  
19

DEPARTMENT OF SOCIAL SERVICES  
(UNEMPLOYMENT & SICKNESS BENEFITS)

AUSTRALIA HOUSE

52 CARRINGTON STREET, SYDNEY

13th February, 1950.

The Director-General of Social Services,  
Box 4344 G.P.O.,  
MELBOURNE. VIC.

re A. RIDGEWAY and others, Purfleet Mission Station,  
via TAREE, N.S.W. Your reference: GS.46/G.3951.

Please refer to the Administrative Officer's direction  
of 25th January in the above case.

The Registrar of Social Services at Newcastle has been  
in touch with the Manager of the Mission Station, (Mr. Briggs),  
who stated that with the exception of the person [redacted], who is  
mentioned in Ridgeway's letter, the appellants reside in two  
cottages on the reserve for which they pay rental of 17/6 and  
15/- per week respectively. The only reason the men live on the  
reserve is because they benefit by cheaper accommodation than  
would be secured outside. [redacted] lives with his people outside  
the reserve.

Mr. Briggs mentioned that the men had not received any  
rations at any time and that, in any case, they would have to  
work on the reserve for two or three days before any rations could  
be issued.

The examiner's original submission is returned herewith.

*F. Pogson*  
(F. POGSON)  
Director of Social Services.

The A/g. Director-General.

A. RIDGEWAY and others, Purfleet Mission Station,  
via Taree, N.S.W. - Unemployment Benefit.

Reference is invited to the submission of 25/1/50  
(tabbed X).

2. The Director now advises that, with one exception, the persons concerned reside in two cottages on the Reserve, and that they pay rental therefor of 17/6d. per week and 15/-d. per week respectively. The other man (Bungie) lives outside the Reserve.

3. In these circumstances it is thought that, except in a very literal sense, the provisions of Rules 259-266 are not applicable to these men. They are not in any way dependent upon the Mission, and are in normal employment with the Railways Department. There is no evidence or indication that they are not maintaining normal standards of living and behaviour.

4. Having regard to the foregoing, it is recommended that the Director be requested to arrange for claims for special benefit to be lodged by the men concerned in respect of the "stand-down" period (5/8/49 - 22/8/49), and that payment at the appropriate rates be authorized, subject to the usual conditions regarding eligibility for unemployment benefit.

5. Mr. J.A. Ferguson, Australian Railways Union, Redfern, N.S.W. to be suitably advised.

*Approved.*  
*A.H.*  
*M.C. Trillow*  
*2/2/50*

*[Signature]*  
*21/2/50.*

*Mr. Walker*

DIRECTOR-GENERAL  
 DEPARTMENTAL COPY  
 28 FEB 1950  
 OF SOCIAL SERVICES

[21]

22

27 FEB 1950

Mr. J. A. Ferguson,  
 State Secretary,  
 Australian Railways Union,  
 P.O. Box, 44,  
REDFERN, N.S.W.

Dear Mr. Ferguson,

Some little time since you made representations to Senator the Hon. N. E. McKenna on behalf of Mr. A. Ridgeway, of Luckey's Extra Gang, Mt. George, New South Wales, concerning the eligibility for unemployment benefit of himself and several fellow workers, residing at Purfleet Mission.

The practice of this Department in relation to the eligibility of a person of aboriginal extraction for social service benefits is to regard him as being eligible if he possesses a "certificate of exemption" issued by the State or Territory in which he resides. A certificate is not granted to persons of aboriginal stock who are residing on aboriginal stations, reserves or settlements, and therefore in such cases they are not regarded as being qualified for unemployment benefit or sickness benefit.

I am advised that Mr. Ridgeway and the other men concerned were stood down from their employment from 5th to 22nd August 1949 because of the coal strike. On enquiring at the office of the Registrar, Unemployment and Sickness Benefits, Taree, as to their eligibility for unemployment benefit, they were advised that as they were residing on an aboriginal reserve (Purfleet Mission), they were not eligible for benefit.

The matter has been further investigated, however, and it is now found that although the men were residing in cottages on the Mission property, they were paying rent and were in no way dependent upon the Mission for their subsistence.

In these circumstances it has been decided that the departmental rules disqualifying from benefit persons of aboriginal extraction who are residing on an aboriginal reserve or settlement are not applicable in the case under notice.

As it is not possible to grant unemployment benefit retrospectively approval has therefore been given for the grant to the men concerned of special benefit, at the rate appropriate to unemployment benefit, for the period from 12th August (the seventh day after the commencing date of the unemployment) to 22nd August 1949, subject to their completing the necessary claim forms and lodging them with the Registrar, Taree; and provided that the Registrar is satisfied that, in respect of the period mentioned, the men would have been eligible for unemployment benefit had the question of their residing on the Mission property not arisen.

The Registrar will communicate with Mr. Ridgeway and the other men concerned and will arrange for the claims, when lodged, to receive early attention.

Yours faithfully,

Referred to the Director at Sydney  
 Papers with  
 3 MAR 1950  
 J. H. ROWE  
 Director-General  
 3 MAR 1950

W. H. SPOONER DEALT WITH  
 (W. H. SPOONER)  
 28 APR 1950